

BURLINGTON CITY COUNCIL REGULAR SESSION AUGUST 20, 2014

City of Burlington Governing Body met in Regular Session at City Hall, 301 Neosho Street, Burlington, Kansas at 6:00 p.m. Wednesday, August 20, 2014. Mayor Gene L. Merry called the meeting to order.

ROLL CALL: ☒ Mayor Gene L. Merry

Council Members present:

☒ William C. Scott (President of Council)

☒ Jane M. Griffith

☒ Lewis Lenard

☒ R. Standley Luke (Stan)

☒ Forrest T. Rhodes

☒ Jerilyn Curtiss

Superintendents Present: ☒ Kevin Boyce (Parks) ☒ Alan Schneider (Electric)

☒ Doug Jones (Chief of Police)

☐ Doug Mast (Street)

☒ Danny Hawkins (Water/Wastewater)

Also Present: ☒ Regina Kewley (City Clerk)

☒ Jimmy Hugunin (Zoning & Grants Clerk)

☒ Thomas F. Robrahn (City Attorney)

☒ Susan Stroh (Administrative Assistant)

☐ Dennis D. Roth (City Attorney)

Media Present: Mark Petterson (Coffey County Republican)

VISITORS: Mark Chesney (Kansas Power Pool), Jeff Chandler

AGENDA: *Council Member Scott stated, "I move to approve the agenda as amended." Council Member Luke, "I second the motion." Motion unanimously carried.*

MINUTES: *August 6, 2014: Council Member Curtiss, "I move to accept the Draft Minutes of Council's regular session of August 6, 2014 as presented." Council Member Rhodes, "Second." Motion unanimously carried.*

APPOINTMENT: Mark Chesney, Kansas Power Pool (2014 KPP Fall Planning Retreat, 9/26-27 KC, MO)

Mark Chesney distributed two documents: the 2014 KPP Fall Planning Retreat and the Kansas Power Pool 2014 Strategic Planning Topics. He said, "I want to talk about the Fall Planning Retreat the Kansas Power Pool is conducting on September 26th and 27th in Kansas City, Missouri at the Marriott Country Club Plaza. About that same time last year, KPP staff and the Board of Directors had a retreat. My feeling was there were a lot of good thoughts and constructive comments that came out of that. Frankly, in the next three or four months, maybe six, the staff and the Board wondered together if it would be advantageous perhaps to enlarge the attendance; and so what you see in front of you is a run-down of what is going to happen on those two days. We've got some very accomplished industry experts coming in."

He continued, "On Friday, there is a lineup of topics of discussion, and on Saturday there is time carved out for strategic critical thinking. In one town, I was asked why KPP wants to do this. I think it is entirely possible there will be a very robust discussion about the possibility of adding an additional power supply. If there is that discussion, I can promise you it will be early stage, because there's a lot that goes into making that kind of plans. I think the point here tonight, and in any one of our member communities, is that's a discussion that has financial ramifications. With your help, about two years ago KPP became a 7% minority interest owner in the Dogwood Power Plant. It's a highly efficient Plant that has been a great resource for us and for you; but electric loads continue to grow. We haven't had enormous growth, let me be very frank; but nothing stands still and I think everyone sees from time to time increases in loads that make me wonder if there's not something more coming in the future. That's just one topic."

Referring to the handout entitled Kansas Power Pool 2014 Strategic Planning Topics, Mr. Chesney said, "That is some input taken from various KPP members around the state. The input has allowed us to formulate and crystallize topics that are not only worthy for discussion, but quite likely we will engage in. So, I guess what I am here to say, Mr. Mayor, if everyone around this table and their spouse came, I'd be thrilled to pieces because I think that not only is it going to be highly informative, not only is it going to involve some robust critical planning together, we're going to offer something for spouses, too, so it will make it worthwhile to leave home for more than a day to engage in that."

Referring to the handout 2014 KPP Fall Planning Retreat, Mr. Chesney said "I've been asked the question, 'Mark, What's the cost?' There is no cost for registration. What we're saying is that for the members of the KPP Operating Committee, alternates and spouses - Alan Schneider is a member of that committee - Kansas Power Pool is paying all the costs including hotel, meals, entertainment, and transportation in Kansas City - not to Kansas City. For others that attend who are not members of the Operating Committee, Kansas Power Pool is paying all of those costs, except for the hotel costs. We want to show that we are very serious about making it enticing and go to work with us. We've got some work to do that I think will be very very productive; and we really really want you to seriously consider that. Mr. Mayor, I'm almost finished and I will take any question you might have. I've been asked about deadlines - there are no actual deadlines for letting us know - for turning in a head count, you understand. I think formally we are saying the 19th of September, but golly it would really be good if we know by around the very end of August. We really want to encourage this. We hope you will clear

[2] CONTINUATION: August 20, 2014 Burlington City Council Meeting

your schedules for Friday and Saturday, September 26th and 27th. The last order of business is lunch on Saturday." He added, "Are there any questions on that or on any topic? It's a pleasure to be back in Burlington, and I will certainly answer anything you might have for me." There were no questions, so he thanked council for their time, and left the meeting shortly thereafter.

PUBLIC COMMENTS: None

ELECTRIC DEPARTMENT: Distribution Updates

Superintendent Schneider reported distribution personnel have been doing normal duties including work orders, locates, and customer requests. They have also been doing a lot of line locates for MT Networks and all their fiber-optics. We're still installing electric meters for the AMI project. Personnel read the old meters since last council meeting. They are waiting for Wal-Mart Express to get their grade set down there. Also, the Electric Department is still trimming trees and has installed some street lights in the past weeks."

ELECTRIC DEPARTMENT: Power Plant/Production Update

General: Power Plant personnel are doing their daily duties and general Power Plant maintenance. They have been working on generator reports and doing general generator maintenance.

Old Plant: Personnel are doing some work in the old plant on the generator cooling system to make the water flow and cool everything evenly.

Substation: They are doing some breaker maintenance in the substation.

WATER DEPARTMENT: Distribution Update

Waterline Replacement Project - Update: Superintendent Hawkins reported, "We have been putting in the waterline on St. Lawrence Street. Riley Boring Company bored in over a thousand feet on St. Lawrence, and it went real well. We still need to go back and put in about another 700 feet. We will open cut and tie in and put fire hydrants in. In the meantime, we've been jumping back and forth between St. Lawrence and Yuba Street. We do officially have all the tie-ins done with every meter service on Yuba Street; so all the customers are tied onto the new waterline. We have scheduled on Monday morning to finish up on Yuba - at 4th and Yuba we will go in and finish the final tie-in for that line. We will then be completed there, other than going back and cleaning up and seeding and filling and dressing up the work area."

Installing Services - Wal-Mart and Burlington RV Park (Crotts): Superintendent Hawkins said they got Wal-Mart Express water services installed. They also got Larry Crotts' service in for his Burlington RV Park; and got some other little stuff done.

General: Superintendent Hawkins reported personnel have concentrated on getting field work done over the past two weeks. They have also done normal duties, including line locates, customer requests, and work orders.

WATER DEPARTMENT: SCADA System Problems - update

Superintendent Hawkins stated, "The SCADA system is completed. We finished Friday and had a conversation with Jeff Shamburg, Bartlett & West. R.W. Vaught was there last Wednesday, Thursday, Friday - he couldn't come in Monday, so he came on Tuesday. He said that with everything he has done, he says the system is 100% complete. The only thing we have left is some tie-in with the communications (computer). In other words, communications are talking to one another, but they are trying to get the last pumpstation (LS#2), which is a little slower. They are trying to speed that communication up. They assured me they will call me tomorrow and it will be completely done." He added, "When it comes to that, I will visit with Jeff again at the end of this week. I still feel I need to go through that the first of next week; and I want to wait until we get to the point of the next following council meeting before we actually disperse any money to them. I feel like we had deadlines that came and went, so what's another two weeks. Forgive me for saying that, but that's how I feel."

WATER DEPARTMENT: Water Production Update

Plant Update: Superintendent Hawkins reported, "The Water Plant is still having great success with the new chemical (Ferric Chlorine Polymer Blend 2175B).

Water Drought Emergency-Warning (update): Superintendent Hawkins provided the Drought Water Emergency Update, as follows: Rain in County: Little in past 7 days; Rain Forecast: Slight chance; Pumped: Since August 13, pumped 3,885,000 gallons of water; Daily Average: 545,000 gallons; Outlook: No new Restrictions.

STREET DEPARTMENT: Update

Mayor Merry provided Superintendent Mast's report. The Street Department has been working on Sanders Street west of the ambulance barn. They painted the crosswalks for school; and have been tree trimming in preparation for the chip and seal project.

POLICE DEPARTMENT: Update

Nuisance-Hazard Structure 211 Neosho: Chief Jones said he had been talking with Jeff Chandler about his property at 211 Neosho Street. Mr. Chandler addressed Council, "Just to bring you up to date, I talked to Mike Skillman. Mike has shown interest in it and might actually come to a price; so he's supposed to be doing some paperwork to just take it (the property) over. I'm moving my stuff out to where he can come in and do what he is going to do with it. He was supposed to be here tonight, but he's got tied up with some other projects he has going on. I apologize for that. I can't speak for Mike, but it's in the process of changing hands." (continued)

[3] CONTINUATION: August 20, 2014 Burlington City Council Meeting

Chief Jones explained, "The paperwork I had presented Mr. Chandler was the 45-day notice, which has obviously expired. Since I had not gone any further with doing the official notice to the Council, it does not require any action on the Council's part to continue. I am more than willing to work with Mr. Chandler and get this done." Mayor Merry, "Just start on a new process with the new landowner?" Chief Jones, "Yes, with the new landowner, the clock would actually start over anyway."

General: Chief Jones reported, "Today was the first day of school, with nothing unexpected."

Inmate: Chief Jones said, "We took an inmate to the hospital about noon Friday and had to sit on him - between us and the Sheriff's office - until about 11 o'clock Saturday morning. He was medically cleared and we could do care and treatment, and then transfer him to the state hospital in Osawatomie on Tuesday."

Police Building Construction - update: Chief Jones reported quite a bit of progress has been made on the new police building.

POLICE DEPARTMENT: 2014 STOs and 2014 UPOCs (Proposed Ordinances 832 and 833, respectively)

Chief Jones explained there were no noteworthy changes to the 2014 editions of the Standard Traffic Ordinances or the Uniform Public Offense Code; and that this is an annual revision to both. He requested adoption of the two proposed ordinances.

Council Member Scott stated, "I move to adopt Ordinance 832, Standard Traffic Ordinance for Kansas Cities, 2014 Edition." Council Member Luke, "Second." Mayor Merry directed City Clerk Kewley to poll Council for a vote. All votes were in favor. Mayor Merry declared Ordinance 832 adopted by a 6:0 vote.

Council Member Scott stated, "I move to adopt Ordinance 833, Uniform Public Offense Code for Kansas Cities, 2014 Edition." Council Member Luke, "Second." Mayor Merry directed City Clerk Kewley to poll Council for a vote. All votes were in favor. Mayor Merry declared Ordinance 833 adopted by a 6:0 vote.

PARKS DEPARTMENT: Update

General: Parks personnel have been doing normal duties, including mowing and weedeating, spraying weeds, cleaning public restrooms and buildings, and watering trees and flowers.

Oak Park Walking Trail: Superintendent Boyce reported the third outdoor fitness unit at Oak Park is installed. People had asked for some lighting at Oak Park, so the Electric Department installed a couple of LED yard lights. Also, Zoning Clerk Hugunin is working on a grant to get some LED solar lights for around the walking trail. Parks personnel are doing dirt work in the Oak Park area to prepare for seeding grass.

Nuisance Mowing: Parks personnel mowed two nuisance properties since the last meeting of Council.

Kelley Park - Stadium Painting: Blue Sky Painting and Restoration is nearly done painting the first coat on the iron of the Stadium. If the weather holds out, it should be done by the middle of next week. It is a big improvement.

Kelley Park - Demo Derby: The blocks for the demolition derby should be picked up this week and stacked. There is another stack on the south. As soon as Blue Sky is finished with the painting, the blocks will be put back along the Stadium. They needed moved so the painters could get closer to the Stadium.

Hazard Tree Removal: Superintendent Boyce reported, "Trenary's Tree Care removed trees on Monday and Tuesday. While they worked on two trees along Highway 75, we assisted on setting up cones to route traffic around the work area."

PARKS DEPARTMENT: Sod Replacement for Caboose Park and Veterans Park - Quotes

(Last meeting Superintendent Boyce reported he believes the sod at both Caboose Park and Veterans Park is a trip hazard and said he would bring quotes back to Council for resolving the problem.) Tonight, Superintendent Boyce presented the quotes as follows:

Quotes for Sod

(Caboose Park and Veterans Park)

Option 1: Removal of all sod, level brick pavers where needed, set sprinklers at correct level, put in new sod.

Bones Landscape Company	\$9,232.25	Strawders & Daughters	\$11,213.00	Schellers	No quote
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Option 2: Remove 3 feet of sod along cement and brick paver edges, level brick pavers where needed, set sprinklers at correct level, and put in new sod where sod was removed.

Bones Landscape Company	\$4,922.50	Strawders & Daughters	\$7,599.72	Schellers	No Quote
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Option 3: Remove 2 feet of sod along cement and brick paver edges, level brick pavers where needed, set sprinklers at correct level, and reuse sod that was cut out.

Bones Landscape Company	No Quote	Strawders & Daughters	No Quote	Schellers	\$6,221.00
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(continued)

In regards to Option 3, Superintendent Boyce said Schellers gave a quote for this, but the other two companies have tried reusing the sod and say it does not work. Superintendent Boyce stated, "My recommendation is going with removing all the sod. Going with the three foot strip around the edges, I think the new sod is going to stick out like a sore thumb against the four or five year old sod."

Council Member Curtiss stated, "I move to accept the quote for Option 1 from Bones Landscape Company for the Caboose Park and Veterans Park Sod Replacement, not to exceed \$9,232.25." Council Member Griffith, "Second." Hearing no discussion on the motion, Mayor Merry called for a vote. Motion unanimously carried.

FINANCE: Jena Jacobs Garcia, Building Restoration Loan for 309 Neosho Street

Council Member Luke stated, "I move to accept the recommendation of the Burlington Decision Making Authority to approve the Building Restoration Loan Application in the amount of \$5,000 for Jena Jacobs Garcia, Building Restoration Loan for 309 Neosho Street." Council Member Lenard, "Second." Mayor Merry called for discussion. Council Member Luke reported all members of the Decision Making Authority reviewed the application, signed off on it, recommend accepting it. We have documentation of what the building restoration includes, mainly windows. Hearing no further discussion, Mayor Merry called for a vote. Motion unanimously carried.

FINANCE: Claims Ordinance & Payroll Ordinance

a.	Claims Ordinance	2014-16	<u>\$820,315.97</u>
b.	Payroll Ordinance	2014-17	<u>\$ 77,838.26</u>
	TOTAL		\$898,154.23

***CLAIMS 2014-16:** Council Member Luke, "I move City of Burlington pay Claims Ordinance 2014-16 in the amount of \$820,315.97 for payment of city bills." Council Member Lenard, "Second." Mayor Merry called for discussion. City Clerk Kewley explained, "Tonight we are paying approximately \$407,000 for the General Obligation Bond refinancing, the Kansas Power Pool bill is roughly \$244,000, and \$95,000 to Abendroth Builders for the new Police building - that's the first draw." Hearing no further discussion, Mayor Merry directed City Clerk Kewley to poll Council for a vote. All votes were in favor. Mayor Merry declared Claims Ordinance 2014-16 approved by a 6:0 vote.*

***PAYROLL 2014-17:** Council Member Scott stated, "I move City of Burlington pay Payroll Ordinance 2014-17 in the amount of \$77,838.26." Council Member Luke, "I Second it." Hearing no discussion, Mayor Merry directed City Clerk Kewley to poll Council for a vote. All votes were in favor. Mayor Merry declared Payroll Ordinance 2014-17 approved by a 6:0 vote.*

PLANNING & ZONING: Update

***General:** Zoning Clerk Hugunin said he has been updating the City webpage and Facebook page. He has been making the webpage more user friendly. He has also been busy with permits.*

***Police Building Construction Project:** Zoning Clerk Hugunin said construction on the new police building is moving along well and is staying on schedule.*

Industrial Park #3 - Deed (Lots 3 & 4)

Zoning Clerk Hugunin has been working with City Attorney Robrahn to prepare the warranty deed to transfer Lots 3 and 4 in Industrial Park #3 to Mike Abendroth.

Kelley Park - Responsibilities

[In July, Dennis Polson (Coffey County Fair Association) had a discussion with Mayor Merry concerning services and responsibilities of the City of Burlington and other entities, agencies, organizations, and groups in regards to responsibilities for Kelley Park. We sent a letter saying we are in the process of gathering information to develop a comprehensive plan identifying the role of each entity, agency, and organization throughout the year for use and maintenance of Kelley Park; including but not limited to buildings and other structures, playgrounds, ball fields, the Stadium, horseshoe pits, campgrounds, parking lots and roadways, and utilities.] Tonight, Zoning Clerk Hugunin reported he has been working with Administrative Assistant Stroh and the Department Heads to help compile a comprehensive list of responsibilities for Kelley Park.

***Oak Park - Grant for LED Solar Lighting:** Zoning Clerk Hugunin reported that as Superintendent Boyce said, he has been working on a grant to get LED Solar lighting for the Oak Park Walking Trail.*

OTHER COUNCIL BUSINESS: LKM Annual Conference, Wichita, October 11-13, 2014: Voting Delegates

Council Member Curtiss, commenting she and Council Member Rhodes had been LKM voting delegates for the past three years, made a motion, "I move to appoint Stan Luke as City of Burlington's League of Kansas Municipalities Voting Delegate, and Bill Scott as the Alternate Delegate." Council Member Lenard, "I second." Hearing no discussion, Mayor Merry called for a vote. Motion unanimously carried.

PERMITS: Zoning permits issued by Zoning Clerk Hugunin None

LEGAL DEPARTMENT: Update

City Attorney Robrahn said, "It has been relatively quiet, other than Friday when we had the hospitalization of the inmate; but otherwise, everything has been going smoothly."

[5] CONTINUATION: August 20, 2014 Burlington City Council Meeting

CITY CLERK’S OFFICE: Update

General: City Hall Staff have been preparing handhelds for meter reading, handling calls and inquiries, handling work orders, and preparing meeting minutes, reports, vouchers for paying bills, and payroll.

Electric Rate Increase: City Clerk Kewley stated, "We want to remind everybody the new electric rates will be effective this billing cycle. We are currently working on adjusting the Level Pays because the new rates will affect them. We are sending out approximately 147 letters to customers participating in the Utility Level Pay Program to explain why their bills are being adjusted."

Automated Meter Infrastructure - Meters: City Clerk Kewley reported, "We are inputting the AMI meters into our computer billing system, and it is going smoothly."

Delinquent Utility Shutoffs: City Clerk Kewley informed Council, "Due to the heat, we will not be shutting off any utilities for delinquent accounts today. We will be sending letters out telling people to come in and make arrangements for payment, or on the next cool day, we will be shutting off their utilities."

Audit for 2013 completed: City Clerk Kewley has the draft of City of Burlington's audit for 2013. Sean Gordon, Auditor with Mize Houser & Company, will be at the September 17 Council meeting to present the audit.

Labor Day - Closed: City offices will be closed Monday, the 1st of September, in observance of Labor Day.

MAYOR'S COMMENTS: Mural

Mayor Merry stated, "I have one request tonight. Brandon Hines, at the library, has been doing a lot of research on Catfish Capital of Kansas, Catfish Capital of the World, and so on and so forth. We've been trying to find a site to put a mural depicting Burlington as Catfish Capital of Kansas; and thought today about the restrooms at Drake Park. On the north side as you drive into the park, there's kind of a wall that is probably 15 to 20 feet, and we could put the mural there on the north side. All the fisherman typically come down the road through there from the highway. Like I said, Brian has been doing a lot of research for the library, and it's just another tourist attraction. I would like to ask Council for an amount not to exceed \$1,500 to get the design made and painted. I'm looking at Labor Day weekend, but I haven't talked with the artists about that yet." He further explained, "I need authorization to put the mural on the building and to have the funds. It will have all the details we can about the Catfish Capital, and will put as much as we can about the history, the trophy, etc."

Council Member Scott stated, "I move to approve having a mural depicting Burlington as Catfish Capital of Kansas to be designed and then painted on the Drake Park restroom structure, for an amount not to exceed \$1,500." Council Member Curtiss, "Second." Hearing no discussion, Mayor Merry called for a vote. Motion unanimously carried.

There was discussion about there having been a Catfish Capital of the World sign in the past, and that it had been at BETO Junction. Mayor Merry commented, "There are some pictures at the museum, and Brandon is trying to get some pictures together. We may make a request from the public for pictures. There are a lot of stories. They are trying to find the trophy; I heard it is at the Eagles."

FUTURE AGENDA ITEMS:

GENERAL City Debt – How to fund projects City Code Re-codification Service/Allied Waste Agreement Renewal Mayor’s Volunteer Program Cyber Security -- KPP System Test/Training	GAAP – Infrastructure Capitalization Actuaries – GASB-45 Downtown Loan Program - revamp Mural on Drake Park Restroom exterior wall	
	ELECTRIC DEPARTMENT: GIS system Emissions Standards Compliance/EPA KPP Fall Planning Retreat 9/26/2014	
	PARKS DEPARTMENT: Fair Board’s new Building UHCA Event in Kelley Park - October 2014 (Jim Ochs) Scout Jamboree in September 2014 Caboose Park & Veterans Park - Sod Replacement Project	
	LEGAL DEPARTMENT: Municipal Court	
	PLANNING AND ZONING Quarterly Construction Valuation Report Comprehensive Development Plan – Update Industrial Park Lots MT Wireless/MT Networks Relocation to N 4th St.	
POLICE DEPARTMENT Nuisance Updates New PD Building-Construction Update	Work w/Chief on Nuisance Structure regulations Zoning Inquiries Wal-Mart Express in Commerce Park Grant for LED Solar Lighting for Walking Trail	
	Personnel – Training Updates Nuisance- 211 Neosho (Chandler) and at 6th & Yuba (Trailers)	
STREET DEPARTMENT: Heather Street - Concrete Panels Sidewalk Replacement Repairs on City Rights-of-Way Pavement Management System/Asset Management System	Rebuild/Repair Kennedy Street and 14 th Street Barricades 9/27/2014 for Pink-It-Out Municipal Parking Lot	
	WATER & WASTEWATER DEPARTMENT: Neosho Riverbank Stabilization Water Pressure Study SCADA System	
Southwest Sewer Project Waterline Replacement Project Water Emergency - Warning (Update)		
Water Plant Improvements–Efficiency John Redmond Reservoir – Dredging		

Mayor Merry declared the meeting adjourned.

Approved by the Governing Body and signed by Regina R. Kewley, City Clerk